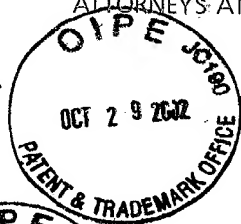




Sterne Kessler Goldstein Fox

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Federal Agencies

October 29, 2002

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TECH CENTER 1600/2900

WRITER'S DIRECT NUMBER:

(202) 371-2615

INTERNET ADDRESS:

FRANKC@SKGF.COM

Art Unit 1634

Re: U.S. Utility Patent Application
Appl. No. 09/697,079; Filed: October 27, 2000
For: **Methods and Compositions for Cloning Nucleic Acid Molecules**
Inventors: Fox *et al.*
Our Ref: 0942.4460002/RWE/BJD/FRC

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Fee Transmittal Form (PTO/SB/17);
2. Amendment and Reply Under 37 C.F.R. § 1.111;
3. First Supplemental Information Disclosure Statement;
4. Listing of the cited documents on Form PTO-1449 (1 sheet);
5. A copy of each of the two (2) cited documents on Form PTO-1449;
6. Our check no. **37166** in the amount of **\$180.00** to cover the fee under 37 C.F.R. § 1.17(p); and
7. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are

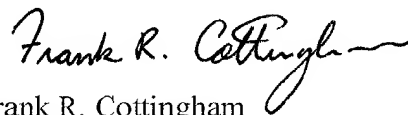
Commissioner for Patents
October 29, 2002
Page 2

necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

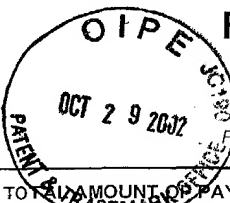
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Frank R. Cottingham
Attorney for Applicants
Registration No. 50,437

FRC/pcd
Enclosures

::ODMA\MHODMA\SKGF_DC1;68676;1

 <h2 style="margin: 0;">FEE TRANSMITTAL for FY 2002</h2> <p style="font-size: small;">Patent fees are subject to annual revision.</p>		Complete if Known													
TOTAL AMOUNT OF PAYMENT		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number</td> <td>09/697,079</td> </tr> <tr> <td>Filing Date</td> <td>October 27, 2000</td> </tr> <tr> <td>First Named Inventor</td> <td>Donna K. Fox</td> </tr> <tr> <td>Examiner Name</td> <td>Johannsen, D.</td> </tr> <tr> <td>Group Art Unit</td> <td>1634</td> </tr> <tr> <td>Attorney Docket No.</td> <td>0942.4460002/RWE/BJD/FRC</td> </tr> </table>		Application Number	09/697,079	Filing Date	October 27, 2000	First Named Inventor	Donna K. Fox	Examiner Name	Johannsen, D.	Group Art Unit	1634	Attorney Docket No.	0942.4460002/RWE/BJD/FRC
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(\$) 180.00															

METHOD OF PAYMENT (check one)	FEE CALCULATION (continued)																																																																																																																																																																																						
<p>1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">Deposit Account Number</td> <td>19-0036</td> </tr> <tr> <td>Deposit Account Name</td> <td>Sterne, Kessler, Goldstein & Fox P.L.L.C.</td> </tr> </table> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17</p> <p><input type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27</p> <p>2. <input checked="" type="checkbox"/> Payment Enclosed:</p> <p><input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input checked="" type="checkbox"/> Other*</p> <p style="font-size: x-small;">*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.</p>	Deposit Account Number	19-0036	Deposit Account Name	Sterne, Kessler, Goldstein & Fox P.L.L.C.	<p>3. ADDITIONAL FEES</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr> <td>105</td> <td>130</td> <td>205</td> <td>65</td> <td>Surcharge - late filing fee or oath</td> <td></td> </tr> <tr> <td>127</td> <td>50</td> <td>227</td> <td>25</td> <td>Surcharge - late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>139</td> <td>130</td> <td>139</td> <td>130</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td>147</td> <td>2,520</td> <td>147</td> <td>2,520</td> <td>For filing a request for <i>ex parte</i> reexamination</td> <td></td> </tr> <tr> <td>112</td> <td>920*</td> <td>112</td> <td>920*</td> <td>Requesting publication of SIR prior to Examiner action</td> <td></td> </tr> <tr> <td>113</td> <td>1,840*</td> <td>113</td> <td>1,840*</td> <td>Requesting publication of SIR after Examiner action</td> <td></td> </tr> <tr> <td>115</td> <td>110</td> <td>215</td> <td>55</td> <td>Extension for reply within first month</td> <td></td> </tr> <tr> <td>116</td> <td>400</td> <td>216</td> <td>200</td> <td>Extension for reply within second month</td> <td></td> </tr> <tr> <td>117</td> <td>920</td> <td>217</td> <td>460</td> <td>Extension for reply within third month</td> <td></td> </tr> <tr> <td>118</td> <td>1,440</td> <td>218</td> <td>720</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td>128</td> <td>1,960</td> <td>228</td> <td>980</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>119</td> <td>320</td> <td>219</td> <td>160</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>120</td> <td>320</td> <td>220</td> <td>160</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>121</td> <td>280</td> <td>221</td> <td>140</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>138</td> <td>1,510</td> <td>138</td> <td>1,510</td> <td>Petition to institute a public use proceeding</td> <td></td> </tr> <tr> <td>140</td> <td>110</td> <td>240</td> <td>55</td> <td>Petition to revive - unavoidable</td> <td></td> </tr> <tr> <td>141</td> <td>1,280</td> <td>241</td> <td>640</td> <td>Petition to revive - unintentional</td> <td></td> </tr> <tr> <td>142</td> <td>1,280</td> <td>242</td> <td>640</td> <td>Utility issue fee (or reissue)</td> <td></td> </tr> <tr> <td>143</td> <td>460</td> <td>243</td> <td>230</td> <td>Design issue fee</td> <td></td> </tr> <tr> <td>144</td> <td>620</td> <td>244</td> <td>310</td> <td>Plant issue fee</td> <td></td> </tr> <tr> <td>122</td> <td>130</td> <td>122</td> <td>130</td> <td>Petitions to the Commissioner</td> <td></td> </tr> <tr> <td>123</td> <td>130</td> <td>123</td> <td>130</td> <td>Petitions related to provisional applications</td> <td></td> </tr> <tr> <td>126</td> <td>180</td> <td>126</td> <td>180</td> <td>Submission of Information Disclosure Stmt</td> <td>180.00</td> </tr> <tr> <td>581</td> <td>40</td> <td>481</td> <td>40</td> <td>Recording each patent assignment per property (times number of properties)</td> <td></td> </tr> <tr> <td>146</td> <td>740</td> <td>246</td> <td>370</td> <td>Filing a submission after final rejection (37 CFR 1.129(a))</td> <td></td> </tr> <tr> <td>149</td> <td>740</td> <td>249</td> <td>370</td> <td>For each additional invention to be examined (37 CFR 1.129(b))</td> <td></td> </tr> <tr> <td>179</td> <td>740</td> <td>279</td> <td>370</td> <td>Request for Continued Examination (RCE)</td> <td></td> </tr> <tr> <td>169</td> <td>900</td> <td>169</td> <td>900</td> <td>Request for expedited examination of a design application</td> <td></td> </tr> </tbody> </table> <p>Other fee (specify) : _____</p> <p>Other fee (specify) : _____</p> <p>*Reduced by Basic Filing Fee Paid</p>	Large Entity		Small Entity		Fee Description	Fee paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	105	130	205	65	Surcharge - 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SUBMITTED BY		Complete (if applicable)			
Name (Print/Type)	Frank R. Cottingham	Registration No. (Attorney/Agent)	50,437	Telephone	202-371-2600
Signature	<i>Frank R. Cottingham</i>	Date	OCT. 29, 2002		

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

FOX *et al.*

Appl. No. 09/697,079

Filed: October 27, 2000

For: **Methods and Compositions for
Cloning Nucleic Acid Molecules**

Confirmation No.: 7547

Art Unit: 1634

Examiner: Johannsen, D.

Atty. Docket: 0942.4460002/RWE/BJD/FRC

Amendment And Reply Under 37 C.F.R. § 1.111

Commissioner for Patents
Washington, D.C. 20231

Sir:

In reply to the Office Action dated **July 31, 2002**, (PTO Prosecution File Wrapper Paper No. 14), Applicants submit the following Amendment and Remarks. This Amendment is provided in the following format:

- (A) A clean version of each replacement paragraph/section/claim along with clear instructions for entry;
- (B) Starting on a separate page, appropriate remarks and arguments. 37 C.F.R. § 1.121 and MPEP 714; and
- (C) Starting on a separate page, a marked-up version entitled: "Version with markings to show changes made."

It is not believed that extensions of time or fees for net addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R.

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§ 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 19-0036.

Amendments

In the Claims:

Please ~~cancel~~ claims 46-48 without prejudice or disclaimer.

Please substitute the following claim 45 for the pending claim 45:

D1
45. (Thrice amended) A composition comprising one or more restriction endonucleases and one or more polymerase inhibitors, wherein said one or more polymerase inhibitors are selected from the group consisting of: an antibiotic, a heavy metal, an acid, a nucleotide analogue, an anionic detergent, a polyanion, captan ((N-[trichloromethyl]-thio)-4-cyclohexene-1,2-dicarboximide), an acidic polysaccharide, a binding protein or peptide, and combinations thereof; wherein said composition does not contain any nucleic acid molecules.

Please ~~add~~ the following claims:

D2
53. (New) A composition comprising one or more restriction endonucleases and one or more polymerase inhibitors, wherein said one or more polymerase inhibitors are one or more antibodies or fragments thereof, and wherein said composition does not contain any nucleic acid molecules.